

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VDPP, LLC,

Plaintiff,

Case No. 23-cv-11462

Hon. Matthew F. Leitman

v.

FORD MOTOR COMPANY,

Defendant.

/

**ORDER TERMINATING DEFENDANT’S MOTION TO DISMISS
WITHOUT PREJUDICE AS MOOT (ECF No. 12)**

On June 20, 2023, Plaintiff VDPP, LLC filed this patent infringement action against Defendant Ford Motor Company. (*See* Compl., ECF No. 1.) Ford thereafter filed a motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6). (*See* Mot. to Dismiss, ECF No. 12.)

On September 13, 2023, without expressing any view regarding the merits of the motion to dismiss, the Court issued an order granting VDPP leave to file a First Amended Complaint in order to remedy the alleged deficiencies in its claims identified by Ford in its motion to dismiss. (*See* Order, ECF No. 14.) The Court informed the parties that if VDPP provided notice that it intended to file a First Amended Complaint, the Court would terminate Ford’s motion to dismiss without prejudice. (*See id.*)

On October 15, 2023, VDPP filed a First Amended Complaint in this case. (See First Am. Compl., ECF No. 15.) Accordingly, because VDPP has filed a First Amended Complaint, the Court **TERMINATES** Ford's motion to dismiss (ECF No. 12) **WITHOUT PREJUDICE AS MOOT**. Ford shall answer or otherwise respond to the First Amended Complaint by no later than **November 6, 2023**.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: October 17, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 17, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
(313) 234-5126